## Remarks

## 1. Summary of Office Action

In the office action mailed February 21, 2008, the Examiner rejected claims 1-9, 13, 14, 15, 16, 18-21, 24-26, and 28-35 under 35 U.S.C. § 103(a) as being allegedly obvious over U.S. Patent Application Pub. No. 2002/0055916 (Jost) in view of U.S. Patent No. 7,210,098 (Sibal). In addition, the Examiner rejected claims 10 and 17 under 35 U.S.C. § 103(a) as being allegedly obvious over Jost in view of Sibal in view of U.S. Patent Application Pub. No. 2002/0077823 (Fox), the Examiner rejected claims 11, 22, and 36 under 35 U.S.C. § 103(a) as being allegedly obvious over Jost in view of Sibal in view of U.S. Patent Application Pub. No. 2003/0084144 (Lipinski), and the Examiner rejected claims 12, 23, and 37 under 35 U.S.C. § 103(a) as being allegedly obvious over Jost in view of Sibal in view of Lipinski in view of U.S. Patent No. 4,874,963 (Alspector).

## 2. Status of the Claims

Applicant has cancelled claim 38. Now pending are claims 1-4, 8-23, 28, and 30-37, of which claims 1, 14, and 31 are independent and the remainder are dependent.

## 3. Response to the Rejections

As noted above, the Examiner rejected each of the independent claims 1, 14, and 31 as being allegedly obvious over Jost in view of Sibal. In so rejecting the claims, the Examiner appears to have admitted that Jost fails to teach the claim feature of the respective weights being stored in one or more attribute tags that are communicated between at least two of the one or more browser pages that are implemented with VoiceXML. The Examiner then turned to Sibal for a disclosure of passing information from one browser to another (e.g., passing information between an HTML browser and a VoiceXML browser). And the Examiner reasoned that Sibal's

disclosure of passing information between browsers to synchronize state on the browsers would

render obvious a modification of Jost's disclosure so as to convey respective weights in attribute

tags between VoiceXML browser pages.

Although Sibal discloses passing information between browsers, Sibal does not disclose

doing so between pages of a VoiceXML browser. The theory underlying Sibal's disclosure is to

synchronize two disparate browser types, so as to offer a user synchronized experiences between

the two browsers. For instance, Sibal teaches the possibility of synchronizing field inputs

between voice and visual browsers so that a user can fill out different fields of a single form

using a combination of both voice and visual/tactile mode.

Yet this underlying theory and Sibal's examples would not logically lead to conveying

respective assigned weights from one voice browser page to another voice page, as recited in

Applicant's claims.

First, the idea of synchronizing the state of a voice browser and a visual browser does not

objectively suggest passing information between pages in one type of browser. Applicant's

invention provides for conveying the assigned respective weights in attribute tags between voice

browser pages in order to facilitate ultimately processing the assigned weights so as to determine

an overall weight and make a routing decision. (See Applicants claims. See also the discussion

in the first full paragraph on page 20 of Applicant's specification.) This is not a process of

synchronizing any browser pages or browsers. Rather, it is a convenient propagation function, to

facilitate ultimate determination of overall weight and to thereby facilitate call routing.

Further, although the Examiner asserted that Sibal teaches that tags storing information

can be communicated "between at least two of the one or more browser pages," it is important to

note that Applicant's claims define the one or more browser pages to be voice browser pages.

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Sibal's disclosure of conveying entered information between visual and voice browsers does not

amount to the passing of information between voice browser pages. Still further, Sibal does not

teach passing of assigned respective weights between browser pages.

Absent hindsight given the benefit of Applicant's patent application, one of ordinary skill

in the art faced with the disclosures of Jost and Sibal would not be logically compelled to modify

Jost so as to communicate assigned respective weights in attribute tags between voice browser

pages as recited in Applicant's claims. Rather, the likely result of the combination would be that

Jost's user interaction would be done with a combination of a voice browser and a visual

browser, and a processor would maintain in data storage the ongoing scores for various machine

operations in line with Jost's disclosure. There would, however, be no need or logical reason to

convey the assigned respective weights in attribute tags between voice browser pages as recited

in Applicant's claims, notwithstanding the fact that Sibal teaches conveying other types of

information (such as user entered values) between browser pages for purposes of providing a

user with a synchronized experience between browser types.

Because the invention recited in Applicant's independent claims would not reasonably or

logically follow from the limited disclosure of the Jost and Sibal references, Applicant submits

that prima facie obviousness of the invention over Jost and Sibal does not exist. Consequently,

Applicant submits that the independent claims are allowable. Further, Applicant submits that the

dependent claims are allowable for at least the reason that they each depend from one of the

allowable independent claims.

Applicant does not acquiesce in any assertion by the Examiner not specifically addressed

in this response.

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For the foregoing reasons, Applicant submits that all of the pending claims are allowable.

Therefore, Applicant respectfully requests favorable action.

Should the Examiner wish to discuss this case with the undersigned, the Examiner is invited to call the undersigned at (312) 913-2141.

Respectfully submitted,

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Dated: December 2, 2008 By: /Lawrence H. Aaronson/

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